

THESE MINUTES ARE SUBJECT TO FORMAL APPROVAL BY THE WYOMING
PLANNING COMMISSION AT ITS REGULAR MEETING OF NOVEMBER 15, 2016

PLANNING COMMISSION
MINUTES OF OCTOBER 18, 2016
CITY COUNCIL CHAMBERS
CITY OF WYOMING, MICHIGAN

MEMBERS PRESENT: Arnoys, Bueche, Goodheart, Hegyi, Micele, Postema, Spencer,
Weller

MEMBERS ABSENT: Smart

STAFF PRESENT: Rynbrandt, Director of Community Services
Cochran, City Planner
Lucar, Planning & Development Department

Chair Spencer called the meeting to order at 7:00 PM.

Motion by Hegyi, supported by Arnoys, to excuse Smart. Motion carried unanimously.

APPROVAL OF MINUTES

The minutes of September 20, 2016 were approved as written.

APPROVAL OF AGENDA

The agenda was approved as presented.

PUBLIC COMMENT ON NON-PUBLIC HEARING AGENDA ITEMS

There was no public comment.

AGENDA ITEM NO. 1

Request for Special Use Approval for J & J Garage Used Car Sales. The property is located at 823 – 28th Street, SW. (Section 11) (J & J Garage) (Includes Site Plan Approval)

Cochran described the location, existing land use and current zoning around the area. The petitioner desires to use up to 10 parking spaces in the rear of the property for car sales. This property is located within the Corridor Edge context area of the Form Based Code. Used car sales are permitted with Special Use Approval from the Planning Commission. The following

standards for Special Use Approval shall be considered by the Planning Commission, as described within Section 90-507 (3) of the Zoning Ordinance:

- a. The possible substantial and adverse effect on neighboring property.

There are several auto repair and auto sales uses in this general area. The ability for the petitioner to have limited auto sales in conjunction with the repair business is a minor use expansion. The sales use will not have a substantial and adverse effect on neighboring property. If the Planning Commission approves the car sales use, it should be conditioned upon a maximum of 10 vehicles for sale on the property, with the display area to be at the north end of the parking lot. This would prevent vehicles from being displayed along 28th Street and occupying important parking for the front tenants of the property. Also, due to the current situation of repair vehicles occupying required drive lanes and “double stacked” in the rear parking area, all vehicles on the property must be placed in designated parking spaces.

- b. The consistency with the spirit, purpose and intent of this chapter.

The Special Use provisions of the ordinance allow the Planning Commission discretion in whether to establish land uses within a particular area of a zoning district. 28th Street has numerous used car businesses. The proposed use is consistent with the intent of the chapter.

- c. The possible adverse effect upon traffic as related to the streets, churches, schools and any buildings within the immediate area.

The property has direct access to 28th Street and Tennyson Avenue. No adverse traffic impacts are anticipated from this business use.

- d. The tendency of the proposed use to create any type of blight within the immediate area.

The proposed used car sales would occur in an existing parking lot. No blighting influence will occur to neighboring properties.

- e. The economic feasibility for the area.

The uses appear financially viable.

- f. Any other factor as may relate to the public health, safety and welfare for persons and property.

Staff had no additional comments.

- g. That all other provisions of this chapter are met.

Staff had no additional concerns pertaining to the Special Use Approval.

Staff Comment:

1. The provided parking lot plan shall be striped to clearly identify designated parking spaces.

Cochran highlighted how the proposal conforms to the City of Wyoming Sustainability Principles. The proposed car sales use would be negligible regarding environmental quality and social equity. Approval of the use would economically benefit the business owner and thereby promote economic strength.

Planning Commission Action:

The Development Review Team suggested the Planning Commission grant Special Use Approval to the proposed J & J Garage Used Car Sales per the findings of fact, subject to limiting the car sales display area to a maximum of 10 vehicles to be placed at the north end of the parking lot with all on-site vehicles required to be placed in designated parking spaces. The DRT also recommended the Planning Commission grant Site Plan Approval through a separate motion subject to condition 1 noted.

Chair Spencer opened the public hearing. There were no comments and the public hearing was closed.

Architect Jeff Parker, representing the owner, Juan Pena, explained that the owner needs the flexibility of being able to sell used vehicles on this site in order to have a viable business. They will make sure the parking spaces are appropriately striped.

Motion by Hegyi, supported by Postema, to grant Special Use Approval to the proposed J & J Garage Used Car Sales per the findings of fact, subject to limiting the car sales display area to a maximum of 10 vehicles to be placed at the north end of the parking lot with all on-site vehicles required to be placed in designated parking spaces. Discussion followed.

Goodheart asked if staff was in agreement regarding the parking calculations since they were a few spaces over the limit. Cochran responded affirmatively. The Form Based Code offers more flexibility in this regard.

A vote on the motion carried unanimously.

Motion by Hegyi, supported by Micele, to grant Site Plan Approval subject to condition 1 noted. Discussion followed.

Bueche asked if there was a legal description, if the site plan was made from a survey, and who did the survey. Mr. Parker said the site plan was based on information they obtained through

Kent County's AccessKent website. The drawing is not made from a survey; the layout shows everything currently existing. Bueche asked if the garage to the north is encroaching on their property. Mr. Parker did not know for sure, but they intend to use the paved area the way it is currently.

A vote on the motion carried 7 – 1, with Bueche opposed.

AGENDA ITEM NO. 2

Division Avenue Form Based Code presentation - September 26th update.

Cochran noted that about 3,600 public notices were sent to property owners along and within 600 feet of the proposed Division Avenue rezoning for the public meeting held on September 26th. That same amount will be sent out for the Planning Commission public hearing scheduled for the November 15th meeting. There were about 50 people in attendance at the informational meeting. He has received dozens of calls regarding the rezoning and has been active in meeting with the Division Avenue Business Association. Chair Spencer attended the September 26th meeting and noted there were a few people disappointed with the Bus Rapid Transit lanes on Division Avenue. Cochran noted that the dedicated bus lanes are required by the Federal government as part of the multi-million dollar grant. Spencer further noted the majority of the people in attendance at the meeting seemed in support of the rezoning.

AGENDA ITEM NO. 3

Upcoming Form Based Code developments.

Cochran highlighted various projects that are happening in the 28th Street Form Based Code area. The crescent street is proceeding exceptionally well and could be completed in November if the weather cooperates. There will be a 20,000 sq. ft. addition to the west end of the Wyoming Village Mall, and the fascia will eventually match up across the entire front of the mall. There is also a new building going up next to the bank on the corner of 28th and Michael. This was approved previously by the Planning Commission. This will be a single-tenant building, a shoe store. Another project is the new El Caporal restaurant at the old Pour Arthur's site on the northeast corner of Burlingame and Prairie Parkway. The building will sit close to the street and will have a bit of outdoor dining in the summer months. He noted the pieces are starting to fall into place for this Form Based Code area. He reminded the Commissioners, according to the Form Based Code, site plans do not have to be approved by the Planning Commission and will be handled as staff review, unless there is a Special Use request. Hegyi asked if Cochran would continuously update the Commissioners of developments in the Form Based Code areas that are staff review. Cochran responded affirmatively.

PUBLIC COMMENT

There was no public comment.

ADJOURNMENT

The meeting was adjourned at 7:30 p.m.

David Micele, Secretary
Wyoming Planning Commission

Kimberly S. Lucar, Administrative Aide
Wyoming Planning Commission